

REMARKS

Claims 1-10, 12 and 19-21 are now pending in the application. Claims 1-10, 12 and 19-21 stand rejected. Claims 1 and 19 have been amended; and Claim 22 is newly presented. Support for the amendments and for the new claim can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 102 & § 103

Claims 1-4, 9 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Scharres (U.S. Pat. No. 4,949,450). Claims 1, 2, 4-10, 12, and 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kabureck (U.S. Pat. No. 918,060) in view of Cook (U.S. Pat. No. 3,687,409). Claims 3, 6-8 and 12 stand rejected as being unpatentable over Scharres. These rejections are respectfully traversed.

The Examiner's attention is directed to independent Claims 1 and 19. These claims have been amended to clarify that the body has first and second portions that are generally cylindrical, separated by a bearing shoulder portion. This is opposed to the cited rivet of Scharres, which merely has a body having a tapered conical end of varying diameter. Claim 1 further has been amended to contain the limitation that the resilient material covers only the entire second portion between an exterior surface of the work piece and the flange. Similarly, Claim 19 has been amended to include the limitation that the resilient member has a first terminal end, generally co-planar with the

shoulder, and a second terminal end in contact with the flange. Applicants submit that the references do not disclose these limitations.

Applicants respectfully submit that neither the Kabureck nor the Cook references disclose a rivet having a body disposed about a mandrel where the body has a shoulder portion that bears against the work piece. This configuration leaves a non-deformed cylindrical portion above the work piece and the resilient material disposed about the second portion of the body.

CONCLUSION

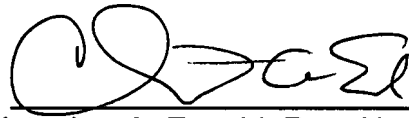
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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